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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/998,893	11/30/2001	Richard P. Sinn	21756-012800	4150
51206 7590 09/18/2009 TOWNSEND AND TOWNSEND AND CREW LLP TWO EMBARCADERO CENTER 8TH FLOOR SAN FRANCISCO, CA 94111-3834				
EXAMINER TESLOVICH, TAMARA				
ART UNIT 2437		PAPER NUMBER		
MAIL DATE 09/18/2009		DELIVERY MODE PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

09/998,893

**Applicant(s)**

SINN ET AL.

**Examiner**

Tamara Teslovich

**Art Unit**

2437

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 01 July 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1,7,9-14,16,20-25,27,31-36,38,39,41-44,46-49 and 51-54 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☐ Claim(s) 1,7,9-14,16,20-25,27,31-36,38,39,41-44,46-49 and 51-54 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on July 1, 2009 has been entered.

Claims 1, 9, 16, 21, 27, 32, 38, 43, 48, and 53 are amended.

Claims 3-6, 8, 18, 19, 20, 30, 40, 45, and 50 are cancelled.

Claim 54 is newly added.

Claims 1, 7, 9-14, 16, 20-25, 27, 31-36, 38, 39, 41-44, 46-49 and 51-54 are pending and herein considered.

### ***Response to Arguments***

Applicant's arguments filed July 1, 2009 regarding the Examiner's 35 USC 102 rejection of the claims have been fully considered but they are not persuasive.

In response to Applicant's arguments concerning Hardy's alleged failure to disclose "a first workflow which calls for obtaining an approval before performing a certificate related action for users having a first user type and a second workflow which does not call for obtaining approval before performing a certificate related action for users having a second user type" as claimed in claim 1, the Examiner respectfully

disagrees. Applicant argues that Hardy fails to disclose "obtaining an approval from an entity identified in a user profile for the user and obtaining a certificate based on that approval," "one of the workflows requiring approval for a certificate action while another does not," and "selecting workflows that handle certificate related requests differently, i.e. requiring or not requiring approval from an entity associated with a requesting user, based on the type of user requesting the action." The Examiner respectfully disagrees with Applicant insofar as her re-examination of the Hardy reference revealed the use of user types, including but not limited to internal employees, external clients, and third party or other corporations, each of which is associated with particular rights and responsibilities. Hardy's electronic authority server provides for corporate control over how particular users represent themselves as well as an environment in which the authority wielded by an employee/user is determined by his/her role (col.3 lines 9-20). In order to achieve implementation of these role-based enterprise policies, Hardy uses system directories which maintain and interact with a database of roles that define which users are allowed to take on which roles (col.4 lines 57-67). This database of user/role profiles anticipates Applicant's "identity profile" insofar as it is maintained by the Identity System and includes a plurality of user types ("roles") included but not limited to employees, management, customers and third parties, each of which is associated with a particular set of rights and responsibilities (col.4 lines 57-67; col.5 lines 34-41; col.6 lines 33-42). Hardy's system directory allows him to distinguish between those employees communicating through secure authenticated connections (col.4 lines 11-18) and external users/clients/third parties communicating via a network

(col.5 lines 34-41). By distinguishing between these particular individuals, Hardy is able to allow the first set of users with secure connections and known identities access to the system and a number of rights without requesting additional authorization. Alternately, external users and third parties wishing to perform functions within the system will be required to provide additional means of authentication including the authorization of the third party by a user of the system and the assignment of rights from an authorized user to an unknown user. By requiring authorization from a first authenticated corporation, Hardy's system can provide for requests from third parties or other corporations who can request access through the first authenticated corporation who has the authority for that particular action within the system (col.6 lines 32-44). It is based upon the portions cited above in view of the reference in its entity that the Examiner maintains her rejection of claim 1.

In response to Applicant's arguments concerning Hardy's alleged failure to teach independent claims 16, 27 and 38 the Examiner respectfully maintains her rejection of those claims and their dependents for those reasons presented above with regards to claim 1.

It is for the reasons presented above that the Examiner maintains her 35 USC 102 rejection of Applicant's claims, included below in a form to reflect Applicant's amendments.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

**Claims 1, 7, 9-14, 16, 20-25, 27, 31-36, 38, 39, 41-44, 46-49 and 51-53 are rejected under 35 U.S.C. 102(e) as being anticipated by Hardy et al., U.S. Patent No. 6,073,242.**

As per **claim 1**, Hardy discloses a method comprising:

receiving at an Identity System a request for a first certificate related action for a first user wherein the certificate related action is selected from a group consisting of a certificate enrollment action, a certificate renewal action, and a certificate revocation action (col.5 lines 42-55; col.11 lines 9-30; col.19 line 54 thru col.20 line 44); and

retrieving by the Identity System a first workflow for responding to said request from a plurality of workflows for responding to requests for certificate related actions, wherein each workflow in said plurality of workflows corresponds to a different set of characteristics for a user (col.3 line 54 thru col.4 line 7; col.13 line 44 thru col.14 line 25) wherein the first workflow contains a first set of directives and a second workflow in said plurality of workflows contains a second set of directives, wherein said first set of

directives is different from said second set of directives (col.14 lines 7-25), wherein said first workflow calls for obtaining an approval before performing a certificate related action (col.4 lines 23-26, 39-41) for users having a first user type, wherein said second workflow does not call for obtaining an approval before performing a certificate related action (col.4 line 57 thru col.5 line 5) for users having a second user type (col.4 line col.16 lines 8-41), and wherein retrieving the first workflow further comprises selecting the first workflow from a plurality of workflows based on the first certificate related action and a user type of the first user (col.13 line 44 thru col.14 line 25) from a set of characteristics for the first user from an identity profile for the first user maintained by the Identity System being the first user type (col.4 lines 57-67); and

performing said first workflow, wherein performing said first workflow comprises retrieving an approval response from an entity associated with the first user and identified in the identity profile for the first user and obtaining a certificate based on the approval response (col.4 lines 11-18, 23-45; col.6 lines 32-44).

As per **claim 7**, Hardy discloses receiving said plurality of workflows (col.4 lines 58-67).

As per **claim 9**, Hardy discloses receiving a second request for a second certificate related action for a second user wherein the second certificate related action is selected from a group consisting of a certificate enrollment action, a certificate renewal action, and a certificate revocation action (col.3 line 45 thru col.4 line22);

retrieving the second workflow for responding to said second request from said plurality of workflows, wherein retrieving the second workflow further comprises selecting the second workflow from the plurality of workflows based on the second certificate related action and a user type of the second user (col.3 line 54 thru col.4 line 7; col.13 line 44 thru col.14 line 25; col.16 lines 8-41) from a set of characteristics for the second user from an identity profile for the second user maintained by the Identity System being the secure user type (col.4 lines 57-67); and

performing said second workflow (col.13 line 44 thru col.14 line 25), wherein performing said second workflow comprises obtaining a second certificate without retrieving an approval response (col.3lines 32-44)

As per **claim 10**, Hardy disclose wherein said first certificate related action is a certificate enrollment action and said second certificate related action is a certificate enrollment action (col.5 lines 42-55; col.11 lines 9-30).

As per **claim 11**, Hardy discloses wherein said first certificate related action is a certificate renewal action and said second certificate related action is a certificate renewal action (col.5 lines 42-55; col.5 lines 42-55; col.11 lines 9-30).

As per **claim 12**, Hardy discloses performing said first workflow, wherein said first certificate related action is a certificate enrollment action (col.5 lines 42-55; col.11 lines 9-30; col.19 line 54 thru col.20 line 44) and wherein performing said first workflow



comprises obtaining a certificate, wherein obtaining the certificate comprises authenticating said first user, forwarding said request to a Certificate Processing Server, receiving said certificate, and storing said certificate (col.5 lines 42-55; col.11 lines 9 thru col.12 line 49).

As per **claim 13**, Hardy discloses performing said first workflow, wherein said certificate related action is a certificate renewal action (col.5 lines 42-55; col.11 lines 9-30; col.19 line 54 thru col.20 line 44) and wherein performing said first workflow comprises obtaining a certificate renewal, wherein obtaining the certificate renewal comprises authenticating said first user, forwarding said request to a Certificate Processing Server, and receiving a certificate renewal acknowledgement (col.5 lines 42-55; col.11 lines 9 thru col.12 line 49).

As per **claim 14**, Hardy discloses performing said first workflow, wherein said certificate related action is a certificate revocation action (col.5 lines 42-55; col.11 lines 9-30; col.19 line 54 thru col.20 line 44) and wherein performing said first workflow comprises revoking a certificate, wherein revoking the certificate comprises authenticating said first user, and forwarding said request to a Certificate Processing Server (col.5 lines 42-55; col.11 lines 9 thru col.12 line 49).

**Claim 16** is directed towards a system's implementation of the method of claim 1 and is rejected by similar rationale.

**Claim 20** is directed towards a system's implementation of the method of claim 7 and is rejected by similar rationale.

**Claims 21 and 22** are directed towards a system's implementation of the method of claims 9 and 10 and are rejected by similar rationale.

**Claims 23-25** are directed towards a system's implementation of the method of claims 12-14 and are rejected by similar rationale.

**Claim 27** is directed towards an apparatus' implementation of the method of claim 1 and is rejected by similar rationale.

**Claim 31** is directed towards an apparatus' implementation of the method of claim 7 and is rejected by similar rationale.

**Claims 32 and 33** are directed towards an apparatus' implementation of the method of claims 9 and 10 and are rejected by similar rationale.

**Claims 34-36** are directed towards an apparatus' implementation of the method of claims 12-14 and are rejected by similar rationale.

**Claim 38** is directed towards the method of claim 1 and is rejected by similar rationale.

**Claims 39** is directed towards the method of claim 7 and is rejected by similar rationale.

**Claim 41** is directed towards a broader form of the method of claims 10 and 11 and is rejected by similar rationale.

As per **claim 42**, Hardy discloses wherein receiving the first request, retrieving the first workflow, performing the first workflow, receiving the second request, retrieving the second workflow, and performing the second workflow are performed by an Identity system in communication with an Access System (col.3 lines 45-56).

**Claim 43** is directed towards a system's implementation of the method of claim 1 and is rejected by similar rationale.

**Claim 44** is directed towards a system's implementation of the method of claim 7 and is rejected by similar rationale.

**Claim 46** is directed towards a broader form of a system's implementation of the method of claims 10 and 11 and is rejected by similar rationale.

As per **claim 47**, Hardy discloses wherein receiving the first request, retrieving the first workflow, performing the first workflow, receiving the second request, retrieving the second workflow, and performing the second workflow are performed by an Identity system in communication with an Access System (col.3 lines 45-56).

**Claim 48** is directed towards an apparatus's implementation of the method of claim 1 and is rejected by similar rationale.

**Claim 49** is directed towards an apparatus' implementation of the method of claim 7 and is rejected by similar rationale.

**Claim 51** is directed towards a broader form of an apparatus' implementation of the method of claims 10 and 11 and is rejected by similar rationale.

As per **claim 52**, Hardy discloses wherein receiving the first request, retrieving the first workflow, performing the first workflow, receiving the second request, retrieving the second workflow, and performing the second workflow are performed by an Identity system in communication with an Access System (col.3 lines 45-56).

As per **claim 53**, Hardy discloses applying a Lightweight Directory Access protocol (LDAP) filter to attributes of the identity profile for the first user (col.5 lines 52-56; col.9 lines 54-56; Fig 2A).

As per **claim 54**, Hardy discloses wherein the entity associated with the first user comprises a third user (col.4 lines 11-18, 23-45; col.6 lines 32-44).

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tamara Teslovich whose telephone number is (571) 272-4241. The examiner can normally be reached on Mon-Fri 8-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Emmanuel Moise can be reached on (571) 272-3865. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Tamara Teslovich/  
Examiner, Art Unit 2437

/Emmanuel L. Moise/  
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